IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 11458 of 2007(L)

PETITIONERS:

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1. SURYA SAMUDRA HOLIDAY RESORT(PVT) LTD, VIZHINJAM, REP.BY ITS FINANCIAL OFFICER, RAJEESH KUMAR, AGED 32 YEARS, S/O.S.SIVASANKARAN NAIR, R/AT SURYA SAMUDRA HOLIDAY RESORT (P) LTD, PULINKUDI, MULLOOR P.O., THIRUVANANTHAPURAM 695521

2. RAJEESH KUMAR, S/O.SIVASANKARAN NAIR, RESIDING AT SURAYA SAMUDRA HOLIDAY RESORTS(P) LTD, PULINKUDI, MULLUR P.O., THIRUVANANTHAPURAM. 695 521.

BY ADV. SRI.K.L.NARASIMHAN
SRI.N. KRISHNA PRASAD

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIATE, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, TRIVANDRUM.

3. TAHSILDAR, NEYYATTINKARA.

4. ADDITIONAL TAHSILDAR, NEYYATTINKARA.

5. REVENUE DIVISIONAL OFFICER, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.S.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

W.P(C) NO.11458 OF 2007 - L

Dated this the 2nd day of April, 2007

J U D G M E N T

The petitioners are challenging the proceedings under the Land Conservancy Act. They apprehend eviction. The petitioners submit that against the orders of the lower authority, they filed Ext.P11 revision petition under Section 16(2) of the Land Conservancy Act. The grievance of the petitioners is that without disposing of Ext.P11 revision petition, respondents 3 to 5 are initiating proceedings for eviction of the petitioners.

2. I have heard learned counsel for the petitioners as also the learned Government Pleader.

3. In the facts and circumstances of the case, there will be a direction to the second respondent to consider and pass appropriate orders on Ext.P11 as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. Till the disposal of Ext.P11, the petitioners shall not be evicted from the land in question. The writ petition is disposed of as above.

S.SIRI JAGAN,
Judge

Mbs/
Mbs/